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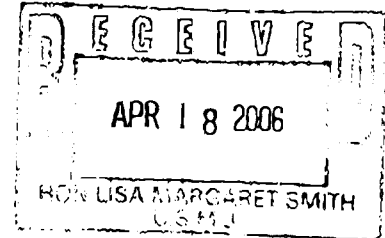
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April 17, 2006

Via Federal Express

The Honorable Lisa Margaret Smith
United States Magistrate Judge
United States District Court, Southern District of New York
300 Quarropas Street, Room 428
White Plains, New York 10601-4150



Re: *Leighton Tech., LLC v. Oberthur Card Sys., S.A., et al.*
Case No. 04 Civ. 02496 (CM)

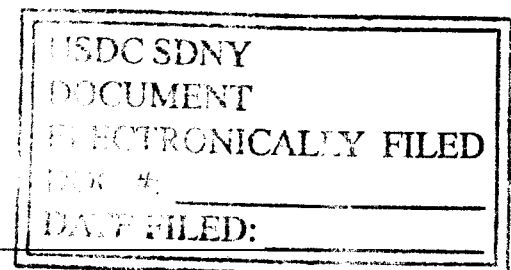
Dear Magistrate Judge Smith:

This is joint letter submitted on behalf of both the plaintiff Leighton Technologies, LLC ("Leighton") and the defendants Oberthur Card Systems, S.A. and Oberthur Card Systems of America Corporation ("Oberthur") collectively ("the Parties") regarding scheduling the remaining dates for this matter. As Mr. James Jacobs indicated during our March 17, 2006 conference with your Honor, both sides had been actively pursuing discovery, but it appeared that it might be necessary to continue the current scheduled deadlines to allow the remaining discovery to be completed in a reasonable and efficient manner, and to allow the Parties to prepare for the April 4, 2006 oral argument of Oberthur's motion for summary judgment. This was confirmed in our joint letter to the Court dated March 31, 2006. By way of this joint letter and the attached [Proposed] Fourth Amended Scheduling Order the Parties seek the additional time necessary to complete the remaining discovery.

To date there have been major document productions, interrogatories, requests for admissions, and depositions in New York, Cleveland, San Jose, Denver, France, Germany, Ireland, and England. Additional depositions remain to be completed both in the United States and abroad. While disputes have, not surprisingly, arisen over the course of this matter, the Parties have been successful at resolving nearly all of the disputes without Court intervention. The Parties believe that the attached Scheduling Order will provide sufficient time to complete the remaining necessary discovery, and have this matter ready for trial consistent with the timeframe that Judge McMahon has set forth in her April 13, 2006 Decision and Order.

Copies mailed / handed / faxed to counsel 4/13/06

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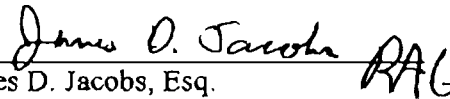
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The existing Third Amended Scheduling Order provides for fact discovery to be completed by April 6, 2006, with additional deadlines such as expert discovery completed by June 15, 2006, dispositive motions filed by July 19, 2006 and Motions in Limine to be filed thereafter. In her recent Summary Judgment Order, Judge McMahon indicated that Motions in Limine and Exhibits were to be filed by June 9, 2006, with a trial date scheduled for fall. Judge McMahon's date for Motions in Limine conflicts with the present schedule, and consequently conflicts with the proposed order. The Parties understand that the Court wishes this matter to be tried in the Fall. The current [Proposed] Scheduling Order, while respectfully seeking to extend certain interim dates, provides for an early November trial date.

Respectfully Submitted,



Robert A. Gutkin, Esq.
Sutherland Asbill & Brennan LLP
Counsel for Plaintiff



James D. Jacobs, Esq.
Baker & McKenzie LLP
Counsel for Defendants

Attachment

cc: James D. Jacobs, Esq. (via e-mail)
Susan R. Knox, Esq. (via e-mail)
Blair M. Jacobs, Esq. (via e-mail)
Christina A. Ondrick, Esq. (via e-mail)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

)	
LEIGHTON TECHNOLOGIES LLC,)	
)	Case No. 04-cv-02496
Plaintiff,)	(CM)(LMS)
)	
v.)	[PROPOSED]
)	FOURTH AMENDED SCHEDULING ORDER
OBERTHUR CARD SYSTEMS, S.A.,)	
AND OBERTHUR CARD SYSTEMS)	
OF AMERICA CORPORATION,)	
)	
Defendants.)	
)	

The parties by their attorneys having stipulated and agreed, and having shown good cause to this Court for modifications to the Rule 16(b) scheduling order,

IT IS HEREBY ORDERED:

1. All fact discovery shall be completed by May 31, 2006.
2. For any issue for which a party carries the burden of proof, that party shall serve its Rule 26(a)(2) expert reports and disclosures on June 28, 2006.
3. Each party shall serve its rebuttal expert reports on July 19, 2006.
4. Expert discovery shall begin July 19, 2006.
5. Expert discovery shall be completed by August 18, 2006.
6. Service of requests to admit shall be completed by August 30, 2006 and responded to by September 20, 2006.
7. The last day to file dispositive motions shall be September 18, 2006.

8. A final pre-trial order and all motions in limine are due on October 11, 2006. All exhibits and objections to exhibits, requests to charge, proposed voir dire instructions and proposed verdict forms are also to be filed on that date.
9. Any party seeking damages from any other party must append to the joint pretrial order a one page addendum explaining the factual and legal basis for the claimed damages, explaining how it proposes to prove damages and setting forth a calculation of anticipated damages.
10. Responses to in limine motions are due 5 days after the motions are made.
11. The Court will schedule a final pre-trial conference after the final pre-trial order is filed. Cases can be called for trial at any time after the final pre-trial conference.
12. The parties shall not contact Judge McMahon about discovery disputes, they shall go directly to Magistrate Judge Smith.
13. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. *Counsel should not assume that extensions will be granted as a matter of routine.*

Dated: April ____, 2006
White Plains, New York 10601

Hon. Lisa Margaret Smith
United States Magistrate Judge